



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 3 1999

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: National Remedy Review Board Recommendations for the Federal Creosote Superfund Site

FROM: Bruce K. Means, Chair
National Remedy Review Board *BK Means*

TO: Richard L. Caspe, Director
Emergency and Remedial Response Division
EPA Region 2

Purpose

The National Remedy Review Board (NRRB) has completed its review of the proposed remedial action for the Federal Creosote Superfund Site in Manville, New Jersey. This memorandum documents the NRRB's advisory recommendations.

Context for NRRB Review

As you recall, the Administrator announced the NRRB as one of the October 1995 Superfund Administrative Reforms to help control response costs and promote consistent and cost-effective decisions. The NRRB furthers these goals by providing a cross-regional, management-level, "real time" review of high cost proposed response actions. The board reviews all proposed cleanup actions that exceed its established cost-based review criteria.

The NRRB review evaluates the proposed actions for consistency with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and relevant Superfund policy and guidance. It focuses on the nature and complexity of the site; health and environmental risks; the range of alternatives that address site risks; the quality and reasonableness of the cost estimates for alternatives; regional, state/tribal, and other stakeholder opinions on the proposed actions, and any other relevant factors.

Generally, the NRRB makes "advisory recommendations" to the appropriate regional decision maker before the region issues the proposed response action for public comment. The region will then include these recommendations in the Administrative Record for the site. While the region is expected to give the board's recommendations substantial weight, other important factors, such as subsequent public comment or technical analyses of response options, may

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influence the final regional decision. It is important to remember that the NRRB does not change the Agency's current delegations or alter in any way the public's role in site decisions.

NRRB Advisory Recommendations

The NRRB reviewed the informational package for the proposed remedial action at the Federal Creosote Site and discussed related issues with EPA project manager Rich Puvogel on March 10, 1999. Based on this review and discussion, the NRRB offers the following comments.

- The regional proposal considered only a single cleanup alternative that would buy and demolish homes above subsurface contaminant source materials. These source materials would then be excavated and incinerated off site. The board supports the need for action at this site, as well as the region's plan to buy and demolish about a dozen homes. Such work will be necessary to address the highly contaminated source material under any circumstance. However, prior to the actual removal of any source material, the board believes that the Region should complete the ongoing site-wide RI/FS and develop a cleanup strategy for the entire housing development. This strategy should identify the full extent and magnitude of soil contamination in the area, appropriate response actions to address this contamination, site-specific soil cleanup objectives, appropriate disposition of any excavated material, and resulting land use options.
- The region should work closely with the community to determine how best to preserve the integrity of the existing residential community given the apparent need to demolish the homes. However, given the stated uncertainty about the potential contamination not addressed by this proposed action, the site-wide cleanup strategy mentioned above should also describe the criteria or circumstances that would lead to the buy out of additional homes, or the entire development, and, in addition, the effect such decisions would have on waste treatment and/or disposal options. That is, should a more extensive buy out be required, on-site treatment options may become more practicable. Thus, the board recommends that the region include an assessment of on-site treatment alternatives (e.g., soil washing, in situ chemical oxidation (ISCO)) as part of the site-wide RI/FS.
- The site package provided little discussion of the range of alternatives considered against the NCP's nine criteria in addressing the subsurface contamination problems. However, the presentation to the board made it clear that additional alternatives were evaluated. The NCP (FR Vol. 55, No. 46, March 8, 1990, p.8704) encourages early actions "prior to or concurrent with conduct of an RI/FS as information sufficient to support remedy selection" is developed, but also indicates that the alternatives evaluation and documentation "reflect the scope and complexity of the site problems being addressed." Accordingly, since the proposed early action involves relatively complex remedy selection issues (e.g., permanent/temporary relocation, costly off-site treatment, phasing of site study and actions), the board recommends that an appropriate supporting analysis addressing these issues, and the other waste management options considered, be included in both the proposed plan and ROD.
- The region plans to use sheet piling as soil retaining walls during excavation. Given the limited excavation depths expected in some areas, the board believes the region can save money by using less expensive engineering methods (e.g., simple graded slope) in lieu of sheet piling where feasible.

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The NRRB appreciates the region's efforts to work closely with the state and community groups at this site. The board members also express their appreciation to the region for its participation in the review process. We encourage Region 2 management and staff to work with their regional NRRB representative and the Region 2/6 Accelerated Response Center in the Office of Emergency and Remedial Response to discuss any appropriate follow-up actions.

Please do not hesitate to give me a call if you have any questions at 703-603-8815.

cc: S. Luftig
T. Fields
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OERR Center Directors

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